

Exhibit A

The Honorable Lauren King

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official
capacity as President of the United States, et
al.,

Defendants.

NO. 2:25-cv-00244-LK

PLAINTIFFS' FIRST SET OF
INTERROGATORIES AND
REQUESTS FOR PRODUCTION
TO DEFENDANTS

I. INSTRUCTIONS

Pursuant to Federal Rules of Civil Procedure 26, 33, and 34, Plaintiffs State of Washington, Oregon, Minnesota, and Colorado (Plaintiff States) and Physician Plaintiffs 1, 2, and 3, (Physician Plaintiffs) (collectively, Plaintiffs) request that Defendants answer the following Interrogatories and Requests for Production (together, Discovery Requests) separately and fully under oath, within thirty (30) days of the date of service, and in accordance with the "DEFINITIONS" and "INSTRUCTIONS" set forth below.

These Discovery Requests are continuing in nature, and you must reasonably supplement or amend your answers and responses to these Requests pursuant to the Federal Rules of Civil Procedure to include certain types of information, specified in the rules, which you later acquire.

Documents are to be produced for inspection and copying at Office of the Attorney General, Complex Litigation Division, 800 Fifth Avenue, Suite 2000, Seattle, WA 98104-3188, with instructions specifying whether you wish them to be copied and returned or to be retained.

II. DEFINITIONS

For the purposes of these Discovery Requests, the following definitions apply:

1. Document means any written, recorded, or other graphic matter, electronic or not, however produced or reproduced. It includes all matter that relates or refers in whole or in part to the subjects referred to in an interrogatory or a request for production. If a document has been prepared in several copies, or if additional copies have been made, and the copies are not identical, or have undergone alteration, each non-identical copy is a separate “document.” This definition includes, but is not limited to, the following: any paper, writing, chart, memo, note, letter, inter-office memo, intra-office memo, email, report, study, statement, map, log entry, drawing, photograph, sketch, picture, tape recording, any other verbal or pictorial representation of any event or idea that has transpired, whether meant for communication to others or for personal need.

2. Person means all entities, including any individual, firm, partnership, joint venture, corporation, association or business enterprise.

3. You (or “your”) or “Defendants” refers to: DONALD J. TRUMP, in his official capacity as the President of the United States; U.S. DEPARTMENT OF JUSTICE; PAM BONDI, in her official capacity as the United States Attorney General; U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; ROBERT F. KENNEDY, JR., in his official capacity as the Secretary of Health and Human Services; U.S. DEPARTMENT OF AGRICULTURE; BROOKE ROLLINS, in her official capacity as the Secretary of Agriculture; U.S. DEPARTMENT OF COMMERCE; HOWARD LUTNICK, in his official capacity as the Secretary of Commerce; U.S. DEPARTMENT OF DEFENSE; PETE HEGSETH, in his official capacity as the Secretary of Defense; U.S. DEPARTMENT OF EDUCATION;

1 DENISE L. CARTER, in her official capacity as the Acting Secretary of Education; U.S.
 2 DEPARTMENT OF ENERGY; CHRIS WRIGHT, in his official capacity as the Secretary of
 3 Energy; U.S. DEPARTMENT OF VETERANS AFFAIRS; DOUGLAS A. COLLINS, in his
 4 official capacity as the Secretary of Veteran Affairs; NATIONAL AERONAUTICS AND
 5 SPACE ADMINISTRATION; JANET PETRO, in her official capacity as the Acting
 6 Administrator of the National Aeronautics and Space Administration; NATIONAL SCIENCE
 7 FOUNDATION; SETHURAMAN PANCHANATHAN, in his official capacity as the Director
 8 of the National Science Foundation; OFFICE OF THE DIRECTOR OF NATIONAL
 9 INTELLIGENCE; TULSI GABBARD, in her official capacity as the Director of National
 10 Intelligence; U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT; MARCO RUBIO, in
 11 his official capacity as Acting Administrator for the U.S. Agency for International Development;
 12 U.S. DEPARTMENT OF THE TREASURY; SCOTT BESENT, in his official capacity as the
 13 Secretary of the Treasury; U.S. DEPARTMENT OF TRANSPORTATION; SEAN DUFFY, in
 14 his official capacity as the Secretary of Transportation; U.S. SMALL BUSINESS
 15 ADMINISTRATION; EVERETT WODEL, JR., in his official capacity as the Acting
 16 Administrator for the U.S. Small Business Administration; and the UNITED STATES OF
 17 AMERICA, their agents, employees, investigators, experts, insurers, attorneys, or other
 18 representatives, and their attorneys' agents, employees and investigators. When "you" (or "your"
 19 or "Defendants") is used in a Discovery Request, or a part thereof, it is intended that the answer
 20 to the Discovery Request, or part thereof, is to include all information known to Defendants,
 21 their agents, employees, investigators, experts, insurers, attorneys, guardian ad litem, or other
 22 representatives, and their attorneys' agents, employees, and investigators.

23 4. Identity, the term "identify" (or "identity"), when used with reference to an
 24 individual person, means to state his or her full name and present job title (if applicable), home
 25 and business address, email address and telephone numbers. The term "identify" (or "identity"),
 26 when used with reference to documents, means to state specifically (a) the type of document

involved (e.g., whether inter-office memorandum, etc.), together with information sufficient to enable Plaintiffs to identify the document, such as its date; the name of the author, any addressee, and any signer; the title or heading of the document and its approximate number of pages, and (b) the identity of the person last known to have possession of the document, together with the present or last known location of the document.

5. “Relation To” as used in these Discovery Requests, means pertinent, relevant or material to, evidencing, having a bearing on, or concerning, affecting, discussing, dealing with, considering or otherwise relating to in any manner whatsoever, the subject matter of inquiry.

III. INSTRUCTIONS

1. Pursuant to the Federal Rules of Civil Procedure, if you object, the grounds for each objection must be stated.

2. No specific Discovery Request should be construed to limit the scope of any other Discovery Request, or of any term defined above, and no subpart of any Discovery Request should be construed to limit the scope of any other subpart of such Discovery Request.

3. When an answer contains both privileged and non-privileged material, the non-privileged material must be disclosed to the fullest extent possible without thereby disclosing the privileged material. If a privilege is asserted with regard to part of an answer, the party claiming the privilege must clearly indicate the portions as to which the privilege is claimed. When an answer that includes documents has been redacted or altered in any fashion, identify as to each Document the reason for the redaction or alteration, the date of the redaction or alteration, and the Person performing the redaction or alteration. Any redaction must be clearly visible on the redacted Document.

4. If you object to or otherwise decline to respond to any portion of a Discovery Request, you shall provide all information called for by that portion of the Discovery Request to which you do not object or to which you do not decline to respond. For those portions of a Discovery Request to which you object or otherwise refuse to provide an answer, you shall state

1 the reasons for such objection or refusal, and you shall state whether you are refusing to provide
2 an answer.

3 5. It is intended that these Discovery Requests will not solicit any material protected
4 either by the attorney-client privilege or by the work-product doctrine that was created by, or
5 developed by, counsel for the responding party after the date on which this litigation was
6 commenced, and they should be construed accordingly.

7 6. If an answer to any Discovery Request is objected to on the grounds that the
8 Discovery Request is unduly burdensome, describe the burden or expense associated with
9 answering.

10 7. Notwithstanding any definition set forth above, each word, term, or phrase used
11 in these interrogatories is intended to have the broadest meaning permitted under the Federal
12 Rules of Civil Procedure.

13 IV. INTERROGATORIES

14 **INTERROGATORY NO. 1:** Identify all persons involved in the decision to terminate
15 Grant No. 5R21HD107311, including, but not limited to, each author or contributor in any part
16 to Exhibits A and B to the declaration of Kym Ahrens (Dkt. ##244-1, 244-2). For each, describe
17 the person's role in the grant's termination.

18 **ANSWER:**
19

20 **INTERROGATORY NO. 2:** Identify and describe all criteria used to determine
21 whether Grant No. 5R21HD107311 "effectuate[s] [NIH's] priorities," Ahrens Decl., Ex. B
22 (Dkt. #244-2), including, as applicable, any key words used to identify already-awarded grants
23 that no longer "effectuate[s] [NIH's] priorities."

24 **ANSWER:**
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1 **INTERROGATORY NO. 3:** Identify all authors of the social media post attached as
 2 Exhibit 2 to the Declaration of William McGinty (Dkt. #245-2), including each person's name,
 3 job title, business address, email address, their role in the Department of Government Efficiency,
 4 and their role in decision to terminate Grant No. 5R21HD107311.

5 **ANSWER:**

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 7 **INTERROGATORY NO. 4:** Identify the document attached as Exhibit 6 to the
 8 Declaration of William McGinty (Dkt. #245-6), including a description of what it is, which
 9 agency or agencies it originated in, the names or all authors, editors, or approvers who produced
 10 it, to whom it was distributed, and the purposes for which it was used.

11 **ANSWER:**

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 13 **V. REQUESTS FOR PRODUCTION**

14 **REQUEST FOR PRODUCTION NO. 1:** All drafts of the following documents,
 15 included as an exhibit to the declarations of Kym Ahrens (Dkt. #244) and William McGinty
 16 (Dkt. #245): Ahrens Decl., Exs. A-B (Dkt. ##244-1, 244-2), and McGinty Decl., Ex. 6
 17 (Dkt. #245-6).

18 **RESPONSE:**

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 20 **REQUEST FOR PRODUCTION NO. 2:** All drafts of the document titled "Staff
 21 Guidance—Award Assessments for Alignment with Agency Priorities—March 2025" referenced
 22 in Exhibit 5 of the declaration of William McGinty (Dkt. #245-5).

23 **RESPONSE:**

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 25 **REQUEST FOR PRODUCTION NO. 3:** All communications related to the following
 26 documents, included as an exhibit to the declarations of Kym Ahrens (Dkt. #244) and

1 William McGinty (Dkt. #245): Ahrens Decl., Exs. A-B (Dkt. ##244-1, 244-2), and McGinty
2 Decl., Ex. 6 (Dkt. #245-6).

3 **RESPONSE:**

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5 **REQUEST FOR PRODUCTION NO. 4:** All documents related to NIH's claims that
6 "Research programs based on gender identity are often unscientific, have little identifiable return
7 on investment, and do nothing to enhance the health of many Americans. Many such studies
8 ignore, rather than seriously examine, biological realities." Ahrens Decl., Ex. A (Dkt. #244-1).

9 **RESPONSE:**

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11 **REQUEST FOR PRODUCTION NO. 5:** All documents related to NIH's claim that "It
12 is the policy of NIH not to prioritize these research programs." Ahrens Decl., Ex. A
13 (Dkt. #244-1).

14 **RESPONSE:**

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16 **REQUEST FOR PRODUCTION NO. 6:** All documents related to NIH's claims that
17 "This award related to Transgender issues no longer effectuates agency priorities." Ahrens Decl.,
18 Ex. B (Dkt. #244-2).

19 **RESPONSE:**

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21 **REQUEST FOR PRODUCTION NO. 7:** All documents that include descriptions of
22 policies, procedures, or guidance regarding termination of NIH grants dated between January
23 20, 2025 and March 6, 2025.

24 **RESPONSE:**

1 **REQUEST FOR PRODUCTION NO. 8:** All documents related to your answers to any
2 of the foregoing interrogatories.

3 **RESPONSE:**

4
5 DATED this 19th day of March 2025.

6 NICHOLAS W. BROWN
7 Attorney General of Washington

8 /s/ William McGinty

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CERTIFICATION

The undersigned attorney for Defendants has read the foregoing responses to Plaintiffs' Discovery Requests to Defendants, and they are in compliance with the Federal Rules of Civil Procedure.

DATED this _____ day of _____ 2025.

Signed

Printed

DECLARATION OF SERVICE

I hereby declare that on this day I caused the foregoing document to be served, via electronic mail, on the following:

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Attorneys for Defendants

I declare, under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

DATED this 19th day of March 2025, at Olympia, Washington.

/s/ William McGinty
WILLIAM MCGINTY, WSBA #41868
Assistant Attorney General